

The Hartford Republican.

Fine Job Work.

DEVOTED TO THE INTERESTS OF ALL THE PEOPLE OF OHIO COUNTY.

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No. 30

GROWERS HAVE LEGAL RIGHT TO POOL.

Act of 1906 Upheld by Highest Court in State.

No Longer any Question of Farmer's Right to Pool for Higher Price.

In deciding a case appealed from the Owen Circuit Court involving the constitutionality of the act of the 1906 legislature giving the right to tobacco growers to pool their crops Judge John D. Carroll, of the Court of Appeals handed down an opinion declaring the act valid under the constitution. The whole court except Chief Justice O'Rear who was absent, heard the case and concurred in the opinion. In discussing the act the court said in part:

The act of 1906 does not authorize or permit a pool or combination to enhance the cost of crops above their real value. This is not the proper construction, and if it allowed owners to place the price of crops above their real value, it would clearly be a violation of the Constitution.

In giving to the act this constitutionality the prevailing conditions that rise to its enactment may with much propriety, be considered. The farmers scattered all over the State, each acting independently and separately for himself were unable to dispose of their crops at a fair and reasonable price. There was practically no competition among the purchasers of the crops. A combination and trust had been formed by the buyers to depreciate the value of the crops below their real value, and single-handed, the producers were unable to combat or deal in terms of equality with these trusts and combinations that controlled the markets in which the farmer was obliged to dispose of his produce. To meet the condition of affairs thus presented, and to enable the farmers to combine their resources and place their products in the hands of an agent selected by them, to the end that better prices might be obtained, this act was passed. If under this act, the farmers associated with defendant, were combining and pooling their crops for the purpose of obtaining for them a greater price than the real value, and it should be judicially determined that this was true, the contract entered into in my judgment would be without binding force or effect upon the defendant, although he voluntarily consented to become a member of the society or organization. It could not for a moment be entertained that a contract entered into for the purpose of enhancing the price of an article above its real value would be authorized by the act of 1906, nor would the Legislature have the power to pass an act that would enable or permit persons or classes of persons to do things that are contrary to public policy and that have always met with the severest condemnation of the courts.

I entertain no doubt that the act of 1906 considered alone and with reference to the questions raised by the defendant is a valid exercise under the Constitution of this State or of the United States; and as the record does not show that the plaintiff society is attempting to enhance the price of the Constitution of the State or of the real value the motion to dissolve the injunction must be overruled.

The Dumping Process.

Illustrative of the effect of the foreign Tariff concessions, it is not only interesting but important to you to know that the amount of foreign merchandise now in bonded warehouse in New York amounts to \$44,985,367, an increase of \$11,873,660 since December 31, 1906. To be accurate, the amount of foreign merchandise now in bonded warehouse ready for release on December 31, 1906, amounted to \$32,106,707, and on December 31, 1907, amounted to \$44,985,367. Bonded warehouses are maintained at every port of entry in the United States; and it is fair to assume that at least \$60,000,000 in value of foreign merchandise is now resting in bonded warehouses awaiting the consuming power of the American people. All of this merchandise could be released for consumption within one week. You can appreciate the depressing effect of dumping this enormous amount of merchandise on the American market at less than American prices.

Understand, please that under the

"dumping process" of foreign nations we have in our Government warehouses \$60,000,000 in value awaiting a customer. How will that effect you and other industries which produce merchandise competitive with the foreigner?

Honor Roll

The following people have paid their subscription to The Republican since our last issue: W. C. Everly, Matanzas, Joe C. Bennett, Hartford, C. C. Wedding & Co., Indianapolis; Samuel Rowe, Linton, Ind.; I. P. Barnard, Louisville; Alfred Hurt, Beaver Dam; William Hardin, Coffman; V. M. Albin, Renfrow; J. C. Liles, Somerset, Ky.; A. K. Anderson, Hartford; F. M. Allen, Centertown, and Mrs. J. S. Leisure, Hartford.

SOLD LIQUOR FOR TWENTY-SIX YEARS

And Ben Johns Caught Only One Time

Is Released From Jail and is Going Back to His Home in Christian.

Ben Johns, resident of the town of Crofton, in the good county of Christian and one time convicted before Judge Walter Evans, of the United States Court, of the offense of selling whisky without having paid the government special tax, has now completed his sentence and been discharged from the Daviess county jail, says the Owensboro Messenger.

Now that the whole matter has been passed from the field of current events and gone down as history Ben pleads guilty to the soft impeachment. Not only does he admit having made the particular sale of which he was convicted, but he says that for 26 years, a quarter of a century and a year to spare, he was engaged regularly in the business of a retail whisky dealer and never in all those years paid a license tax to the nation, state, county or city.

He had a large patronage he says, in three or four counties. His customers were good people among whom were high sheriffs and other officials. His whisky had the reputation of being the best to be had in all that country. "I always," said Ben, after he had been released and was, shaking hands with the marshal who arrested him and others about the commissioner's office, "put a teaspoonful of soda and a quart of water with each gallon of whisky."

"In that way you had five quarts to sell when you only bought four," was said by some one.

Ben looked injured. He had the appearance of a man whose honor has been assailed.

"That may be," he said. "Yes, that may be, but that wasn't the intention of it. The soda and water puts a beautiful bead on the liquor, and that's the main thing that gave my whisky such a wide reputation for goodness."

Ben holds no animosity toward any person connected with his arrest and conviction. "I'm going right straight home," he said, "and I'm going to take Sunday dinner with one of the witnesses that swore against me. They may think I'm mad at 'em, but I'm not. They had to tell the truth. I've got no use for a man that won't tell the truth. It was just an accident that I got caught, anyhow, and there ain't no one to blame."

Ben says he was never particularly fond of the liquor business and, now that he is out of it, he proposes to start in some other line and leave the business of quenching thirst to younger men.

Ladies Social Club.

Mrs. Z. W. Griffin and Mrs. Hooker Williams entertained the Ladies Social Club at the elegant home of Mrs. Griffin on Union street Wednesday afternoon. This was one of the most unique entertainments the club has ever enjoyed. An extemporary post office was the source of much merriment. Each guest on arriving mailed a comic post card to some other guest. Later in the afternoon every one went to the post office where two pleasant post mistresses were kept busy handing out Valentines post cards and general letters. Those who received letters were required to read them

POSTMASTER HEAVRIN GIVES US THE LAW ON ARREARAGE SUBSCRIPTION.

We have received the following letter from Postmaster M. L. Heavrin, of Hartford defining the policy which he will, under the new postal regulations, adopt on April 1:

HARTFORD, KY., February 6, 1908.
The Hartford Republican, Hartford, Ky.

Gentlemen:—In accordance with instructions from the Post Office Department at Washington, I hereby notify you that on and after April 1, 1908, no paper addressed to anyone one year or more in arrears will be accepted at the Hartford post office, for transmission through the mail at second-class postage rates. If any such papers are offered they must bear postage stamps, one cent each, or they cannot be sent out. Very respectfully,
M. L. HEAVRIN, Post Master.

In order to comply with the foregoing law, we are mailing to each subscriber in arrears a statement of their account and requesting them to settle.

aloud to the amusement of all others present.

A different game was played at each of the nine tables, the change from exclusive flinch was enjoyed by all. An exquisite two course luncheon was served: Those present to enjoy the occasion were: Messrs. L. P. Foreman, J. B. Wilson, H. P. Taylor, Woolfolk Barrow, S. J. Wedding, E. B. Pendleton, A. S. Yewell, S. A. Anderson, R. E. Lee Simmerman, G. W. Faegan, F. L. Felix, C. M. Bates, J. P. Vickers, W. H. Barnes, E. E. Birkehead, W. S. Tinsley, Rowan Holbrook, R. D. Walker, C. E. Smith, T. R. Barnard, J. C. Wagan, Wallace Riley, Misses Sue Yeager, Mattie Sanderfur, Lettie and Margaret Marks, Margaret Gunther, Mary Wedding, Sophia and Stella Woerner, Laura Morton, Leona Maddox Jessie and Margaret Nail.

STATE PURE FOOD BILL PASSES HOUSE

Will Soon be Ready for Governor's Signature--Favored By All Interested.

Frankfort, Ky., Feb. 11.—Kentucky's pure food law, which has now passed both houses and will go to the Governor for his signature as soon as the bill which passed the House can be sent back to the Senate for its concurrence, is regarded as a model law of its kind. The bill which passed the House this morning is identical with the bill which passed the Senate, but it will have to go back to the Senate, which goes to the Governor for his signature, and with it will become a law. It has the odd distinction of being favored by the druggists, the foodstuff dealers and the liquor people, all of whom are regulated under its provisions. Samuel Castleman, Jr., of Torbitt & Castleman, and Mark Blakemore, of the OGDwin Preserving company, both of Louisville, were here to-day to see the bill through the House, as they have been much interested in its passage and have represented the manufacturers of Louisville all of whom want the bill to become a law.

The bill is modeled along the same lines as the national food law and will require the proper labeling of all foods and liquors and drugs so that the purchaser will know what he is buying, and puts a heavy penalty on the violators of the law or those who adulterate food or drugs. The provision as to whisky and its labeling follows the ruling of the national law and provides that the Supreme Court's decision as to what shall constitute "like substances" will be binding in Kentucky. The bill which passed and which will become a law is known as the Lillard bill, having been introduced and put through by Col. E. W. Lillard, of Boyle county.

A Card of Thanks.

We wish the many kind and sympathetic friends who attended and watched by the bedside for thirty-eight days and nights during the long sickness of our father, grandfather and father-in-law, George W. Roberts, to accept our grateful thanks for their friendly aid and unceasing devotion to him till the final summons came and until he was laid to rest.

Edwin Forbes, wife and daughter.

INDICTED UNDER ANTI-TRUST LAW

American Tobacco Company in Trouble.

Alleged to Have Sought to Reduce Price of Tobacco Below Real Value.

Lexington, Ky., Feb. 10.—The Fayette county grand jury today brought in an indictment against the American Tobacco Company on a charge that it had violated the Kentucky anti-trust law, and alleges that the company has conspired to regulate and reduce the price of leaf tobacco in this State. The indictment was returned late this afternoon, just before the grand jury announced that it had completed its labors and was discharged by the court in his instructions to the grand jury when it was empaneled, about four weeks ago, Judge J. Watts Parker called attention to the rumors that the American Tobacco Company was violating the antitrust law, and directed the grand jury to investigate the matter. At the end of its regular two week's term the grand jury asked for an extension of two weeks more time which it has devoted to an examination of the matter. Local warehousemen, American Tobacco Company agents, and members of the Society of Equity of this county were called before the grand jury, and as a result of the testimony given the indictment was returned to-day.

If there should be a conviction under the indictment the penalty against the corporation is a fine of not more than \$5,000 and not less than \$500.

In addition to the indictment returned against the trust itself five other indictments were returned at the same time but not made public, as the court officials stated that the persons indicted have not yet been served with bench warrants. It is understood that these five true bills are against agents of the trust in this county who, under the antitrust statute, are made liable to the same fine as the corporation itself and in addition to imprisonment, at the discretion of the jury.

F. R. Toewater, formerly of Louisville is the chief agent of the American Tobacco Company in this city, and has under him about half a dozen agents who are engaged in buying tobacco at the public sales here.

Although he admitted the fact that an indictment had been returned against the American Tobacco Company for violation of the antitrust statute this evening Judge Parker would not allow the indictment to be seen, as notice had not been served on the representative of the company and will not permit the names of the persons accused in the other indictments to be made public until bench warrants have been served upon them.

Girl's Lip Bitten Off By Her Horse.

Richmond, Ky., Feb. 11.—Miss Fannie Watts, a popular young woman,

living at her country home five miles from town, to-day met with a peculiar accident, from which she is now suffering intense agony.

Miss Watts' favorite horse became violently ill, and as no men were near she was endeavoring to administer some medicine to the suffering animal, when he became angry and bit at her, taking off almost the entire upper lip. Miss Watts was hurried to the Gibson Infirmary, and it was found necessary to take more than a dozen stitches in order to replace the severed part. While the patient is suffering much pain, and is unable to talk or eat, it is said if other complications do not arise the wound will not prove serious.

WIFE FIGHTS IN VAIN TO SAVE HUSBAND.

Holding Woman in Room Ed Boyd Shoots Himself Through the Brain.

Central City, Ky., Feb. 12.—Ed Boyd, a well known young man of this city, shot himself through the head this morning at 10 o'clock, and though still alive there is no possible chance for his recovery. He had been in poor health ever since he was badly burned on the face and head a year ago in the mines at Drakesboro, and was suffering from nervous trouble. He had complained more than usual this morning, failing to arise for breakfast. At about 8 o'clock he secured a pistol and was attempting to take his life, when his wife discovered him and took possession of the weapon. Placing the pistol in a trunk that was in a small hall just adjoining their room, she locked the trunk and, tying the key to her handkerchief, placed both in her dress. At about 10 o'clock Boyd by force secured possession of the key from his wife, and, stepping into the hall, unlocked the trunk, secured the pistol and deliberately shot himself in the head, in the meantime holding the door that confined his wife in the room which he had just left, although she was frantically trying to open it and save his life. On account of having the use of only one hand, his aim was high, else death would have been instantaneous. His wife had just recovered from a severe attack of appendicitis and is now confined to her bed, completely prostrated. Boyd was the son of Ben C. Boyd, a life insurance agent of this city, and besides a stepmother and half sister, Miss Irene oyd, he is survived by a sister, Mrs. James Laceyfield, of this city.

CONTROL OF THE TOBACCO COMPANIES

Even if American is Driven From the State, is Purpose of McChord Bill.

Frankfort, Ky., Feb. 11.—Control of the great tobacco companies, so as to prevent them from fixing the price of tobacco, and, if necessary, in order to drive the American Tobacco company from Kentucky, is the avowed object of the McChord bill putting tobacco companies and buyers under the police powers of the State, according to statements made by Mr. McChord at a meeting of the agricultural committee.

The meeting was held to give the warehousemen of Louisville a chance to be heard and the bill was thoroughly discussed for two and a half hours. Ex-Senator J. Campbell Cantrill, the head of the American Society of Equity, said that rather than see the people ground down as they had been in the past by the American Tobacco company, it would be better for the trust to be driven from the State and not a single acre of tobacco grown in the State.

The Louisville warehousemen appealed to the committee to kill the bill on the ground that it would injure the small manufacturer who would put him at a disadvantage with the big companies which have factories outside of the State.

They contended that the grower himself would be injured and that they would be injured only through the injury inflicted on the grower. The disposition of the committee seemed to be in favor of the bill, but no action was taken to-night.

NINE MEN MET INSTANT DEATH

When Coal Mines Exploded at South Carrollton.

Heart Rending Scenes About Opening as Bodies Were Brought Out.

South Carrollton, Ky., Feb. 10.—Nine men met almost instant death and one was so badly injured that his death is expected at any moment in an explosion in the mine of the Moody Coal company at 4 o'clock this afternoon.

The dead are: Robert Cook, white, aged forty-five years, married. John Bush, white, aged fifty years, married. The remaining seven dead miners are negroes and are as follows: Hugh Corbin, Dick Blacklock, Pete Gatton, Charles Van and his young son, Charles Ross, Paie Penick, James Bryant white aged twenty-five years, and married was removed from the mine in an unconscious condition and his body is horribly mangled.

The exact cause of the explosion will probably never be known. There were thirteen men working in the shaft, which is one hundred and eighty feet deep, at the time of the explosion. Ten of them were preparing for a "shot" when a terrific explosion occurred. The three others who were in a different part of the mine rushed to the room from which they could hear the cries and moans of their mangled companions.

Lying about on the floor, several of them already dead, the three miners found their companions. The uninjured miners ran to the cage and found it had been damaged by the explosion. They gave the alarm to the men at the opening of the shaft but it was nearly an hour and a half before the cage was in working order and the rescue of the bodies of the miners could begin.

It was 8 o'clock before all of the bodies had been brought to the surface. Life was extinct in all save Bryant, and he was in an unconscious condition and the physicians are holding out very little hope for his recovery.

The news of the explosion spread quickly over the little mining town, and in a few minutes scores of people were crowding about the opening of the mine. There were several miners who were not at work in the shaft to-day, but their families did not know whether they were in the mine at the time of the accident or not. Women and children dashed frantically about weeping and calling for their loved ones. As each body was brought to the surface there was a rush forward to identify the remains. The bodies were quickly removed to their homes.

The officers of the company do not give an explanation to-night for the accident. It is believed that the setting off of the blast caused a burst or "black damp" explosion in the mine. This is the first serious accident in many years at South Carrollton.

FOR THE BUSY READER.

Bench warrants were served and bond was executed Tuesday by the five agents of the American Tobacco Company at Lexington who were indicted on the charge of violating the anti-trust laws.

The Ohio Supreme Court Tuesday knocked out all the indictments against the ridge Trust. The indictments, which were brought in Erie county and charged violation of the anti-trust laws, were held to be defective.

About \$9,000,000 may be secured from the Government by people of the South if the Cooper bill, reported unanimously by the House Committee on War Claims, becomes a law. The bill gives to the Court of Claims jurisdiction of the claims for captured and abandoned property which was sold during the Civil War and the proceeds turned into the United States Treasury.

For Sale

The only barber shop in Hartford. Call on Bullington & Taylor.